



July 12, 2005

Submitted Electronically

Mr. Michael Wilhelm
Chief, Public Safety and Critical Infrastructure Division
Wireless Telecommunications Bureau
Federal Communications Commission
445 12th Street, S.W.
Washington, D.C. 20554

Re: FCC Docket No. 04-257; In the Matter of MariTEL, Inc. and Mobex Network Services, LLC, Petitions for Rule Making to Amend the Commission's Rules to Permit Additional Flexibility for AMTS and VHF Public Coast Station Licensees;
Ex Parte Letter

Dear Mr. Wilhelm:

This letter follows up your meeting of March 8, 2005 with Jason Smith, our Vice President of Business Development, regarding the above referenced proceeding. As you know, the Federal Communications Commission's ("FCC") Notice of Proposed Rule Making ("NPRM") proposes to enhance operational flexibility for VHF Public Coast ("VPC") licenses by allowing the provisioning of private land based services, rather than requiring land based services be provided on a common-carrier basis. In addition, the NPRM asks how VPC licensees can support both land and maritime-based services in areas near navigable waterways and further inquires how priority would always be given to maritime communications.

There are two scenarios under which the FCC would logically wish to ensure that priority is afforded to marine originating traffic. MariTEL believes that both scenarios can be easily accommodated using current technology. Both scenarios are discussed below.

Same Channel/Same Equipment/Same Area

The first scenario envisions that the same channel and same technology would be used in one area to concurrently support both maritime and land based services. The FCC's guidelines already address this scenario by requiring that maritime services be provided priority through "any appropriate electrical or mechanical means"¹. This can be easily accomplished by using a unique identifier for each subscriber; a feature that is readily available for both Part 80 and Part 90 voice and data radios.

Same Channel/Different Equipment/Adjacent Areas

The second scenario envisions that maritime services would be offered on a channel in areas near the coastline (for example, to meet a maritime licensee's substantial service requirement) but that land mobile services would be provided on the same channel in an immediately adjacent area.

¹ FCC 80.123 (b)



In this instance, priority is always given to maritime communications in the maritime area because spectrum is used exclusively for maritime operations. The FCC's guidelines already address interference issues that may arise from co-channel operations in adjacent areas; regardless of whether the operations support maritime or land based services.

Nevertheless, MariTEL proposes that the Commission add language to help more efficiently segment services in areas near navigable waterways while ensuring that channels employed for maritime services will always be afforded priority. MariTEL proposes that, as part of its proposed rule making, the Commission add the following wording to FCC rule section 80.773.

Where one VPC licensee is using a frequency to provide maritime service, all co-channel VPC licensees using the same frequency for land based services shall ensure that the ratio of desired to undesired signal strengths must be at least 12 dB within the maritime areas served by a VPC licensee providing maritime services.

We believe that doing so will maximize spectrum utilization for both maritime and land based services. Exhibit A demonstrates the benefits realized from this approach when compared to traditional mileage-based set-backs between stations. In each of the examples provided, land based stations are able to operate in close proximity to maritime coast stations and afford 12 dB of co-channel interference protection throughout the intended coverage area of the maritime service. In one instance, a land based station is separated from a marine station by only nine miles but, through terrain shielding and directional antennas, both services are capable of utilizing the same frequency.

This approach ensures that maritime VPC operations will always be protected. In the event a licensee relocates or reconfigures its maritime stations, other co-channel licensees providing land based services will always be required to protect the maritime service area.

I hope this is helpful in the FCC's consideration of this matter. If you have any questions, please contact me.

Very truly yours,

A handwritten signature in black ink that reads "Dan Smith". The signature is fluid and cursive, with the first letters of the first and last names being capitalized and prominent.

Dan Smith
President and CEO

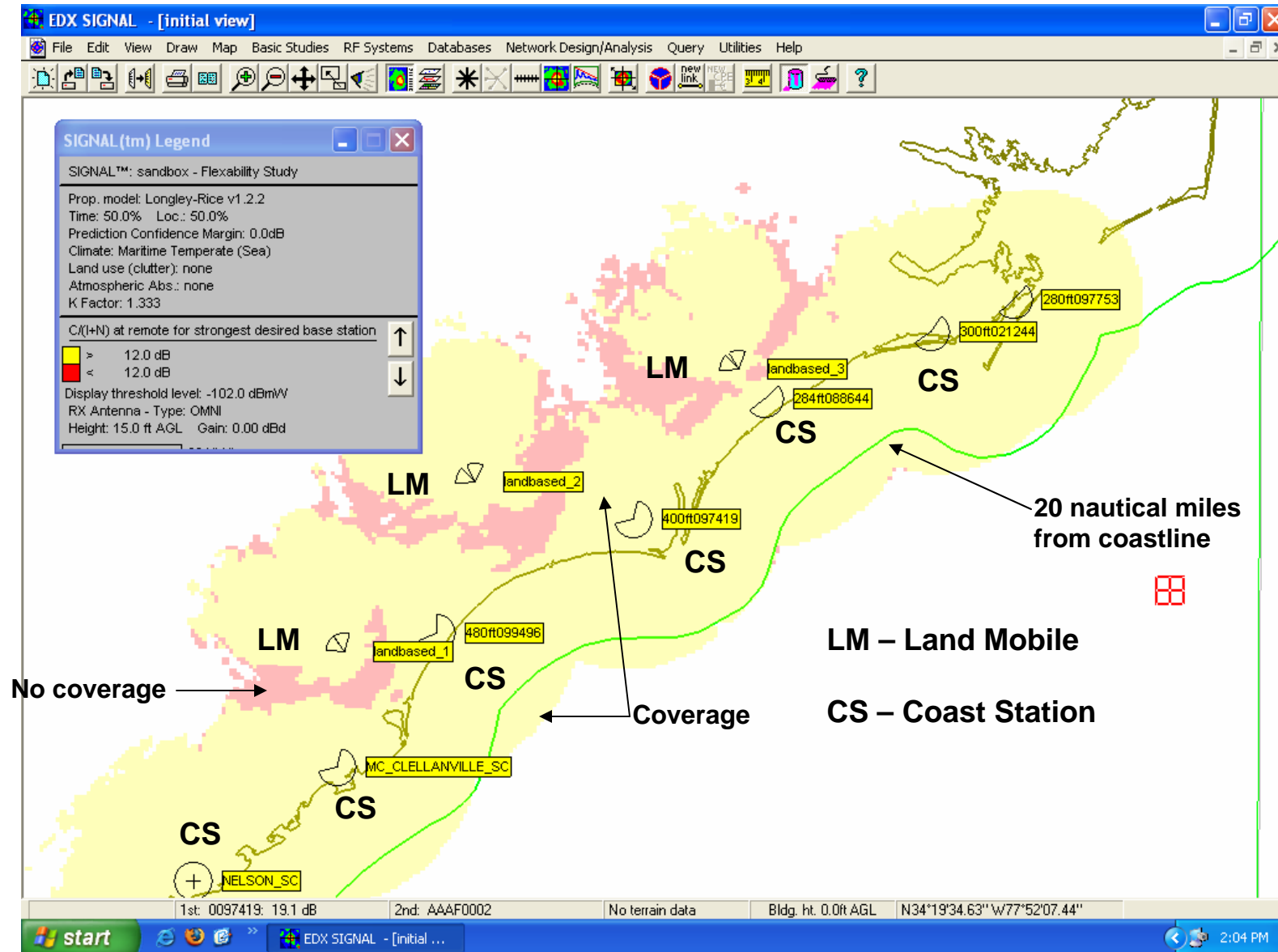
Attachments

Exhibit A

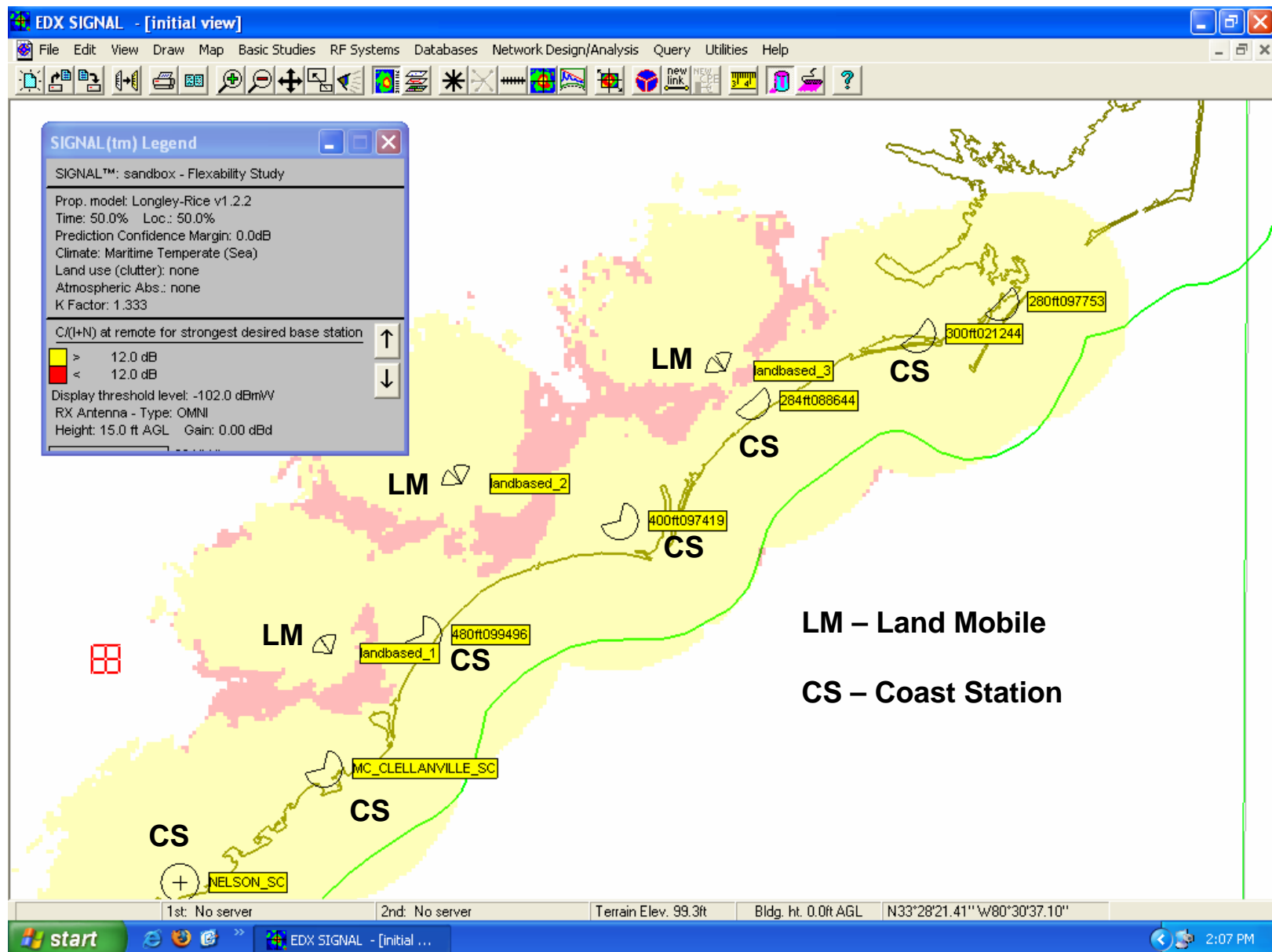
East Coast Example

South Carolina / North Carolina

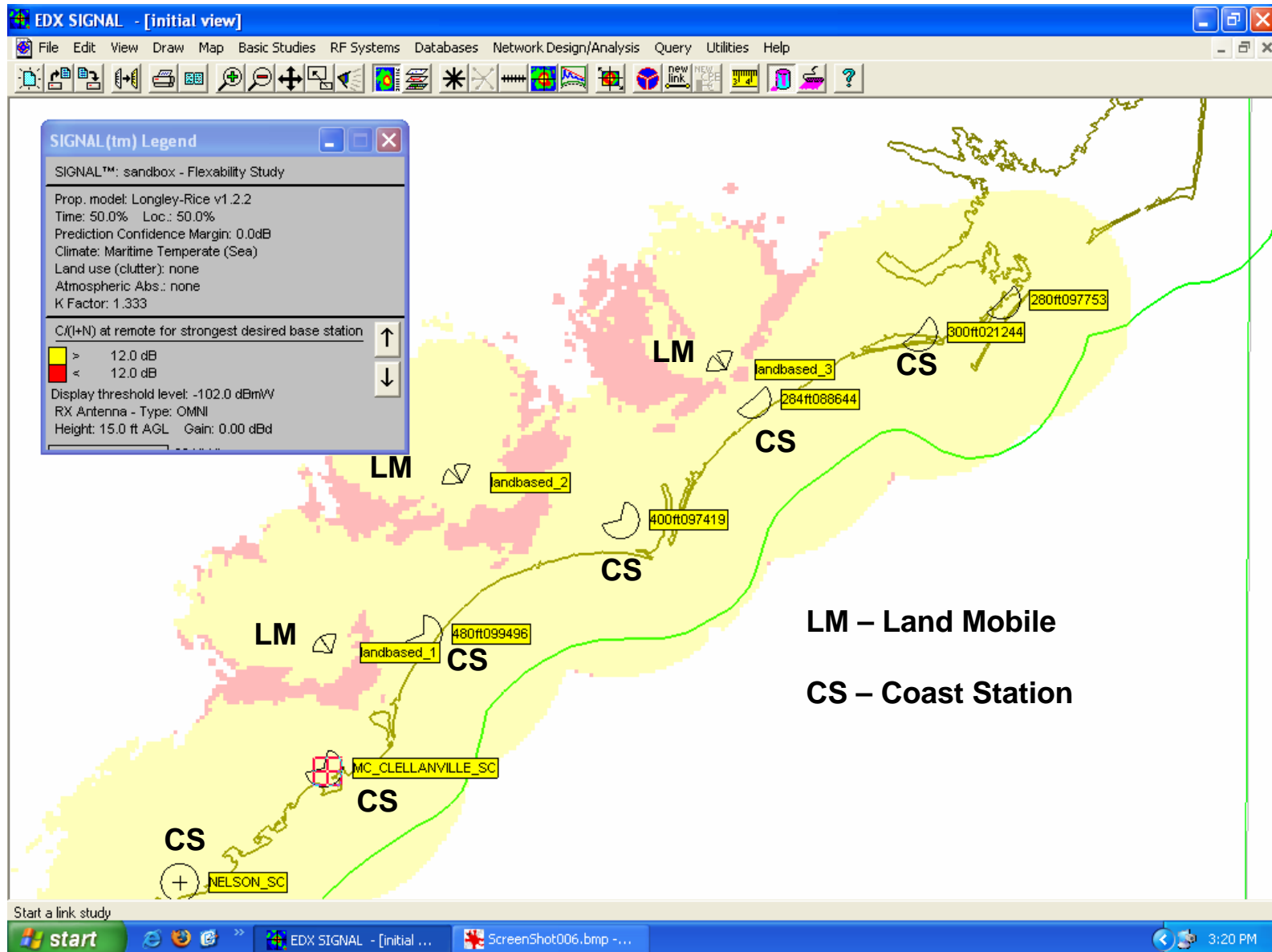
Maritime / Land Mobile Equal Power



Land Mobile Twice Power of Maritime



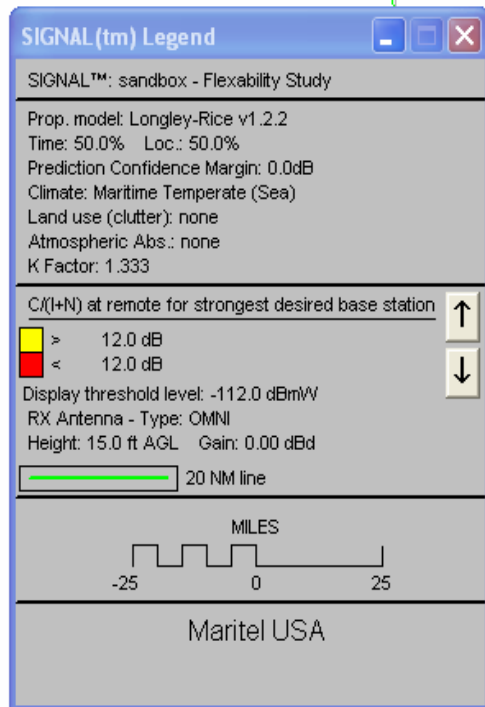
Maritime Twice Power of Land Mobile



West Coast Example

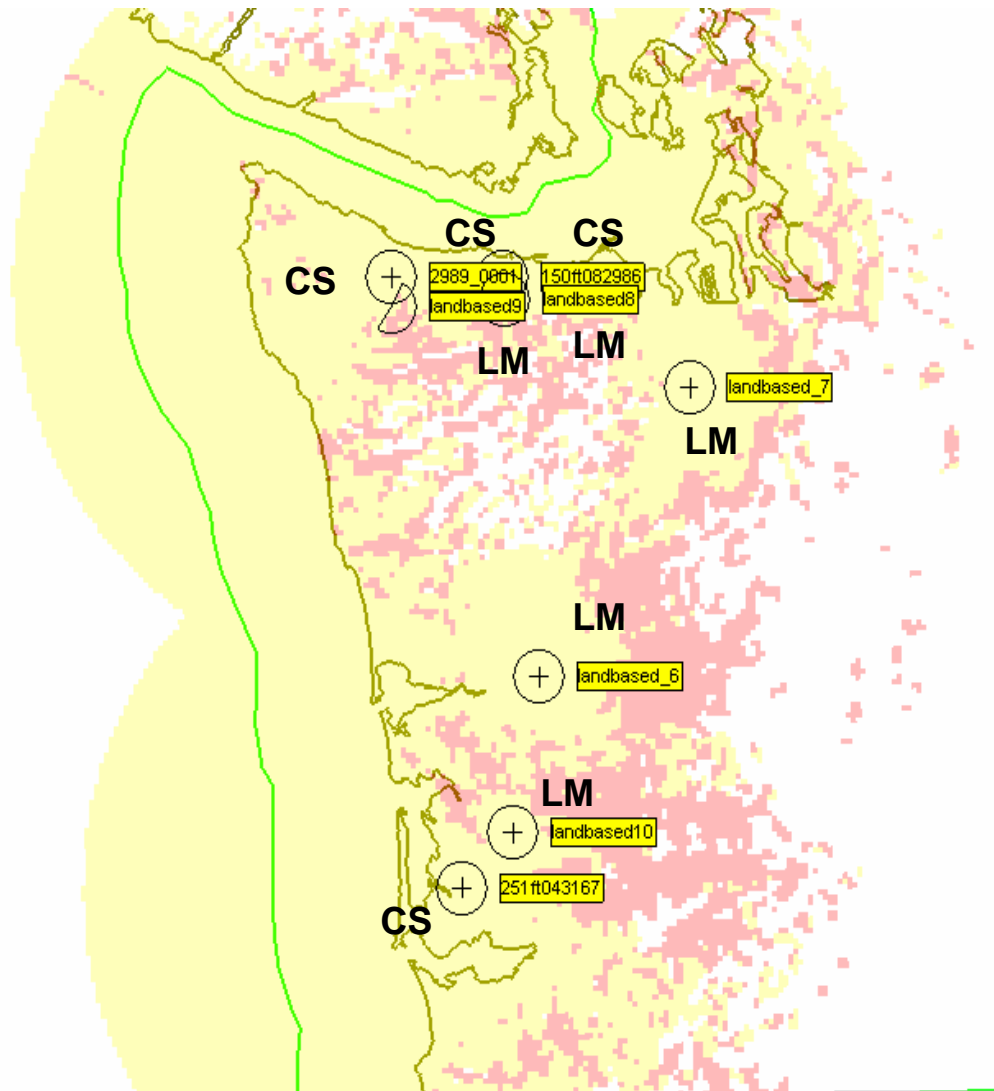
Washington

Maritime / Land Mobile Equal Power

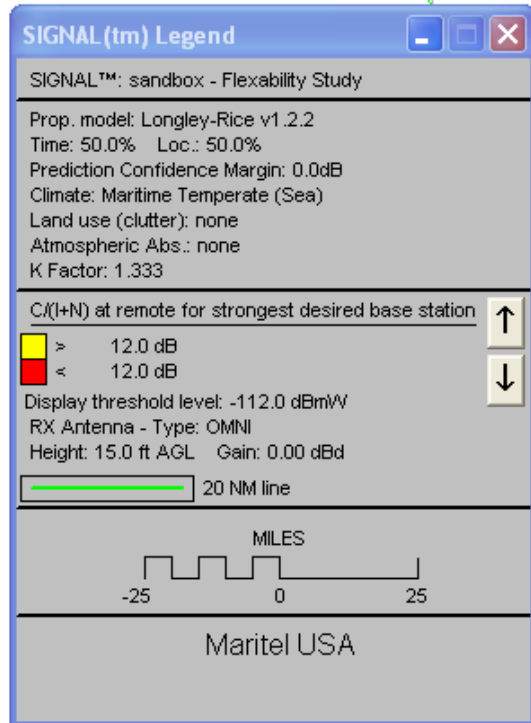


LM – Land Mobile

CS – Coast Station

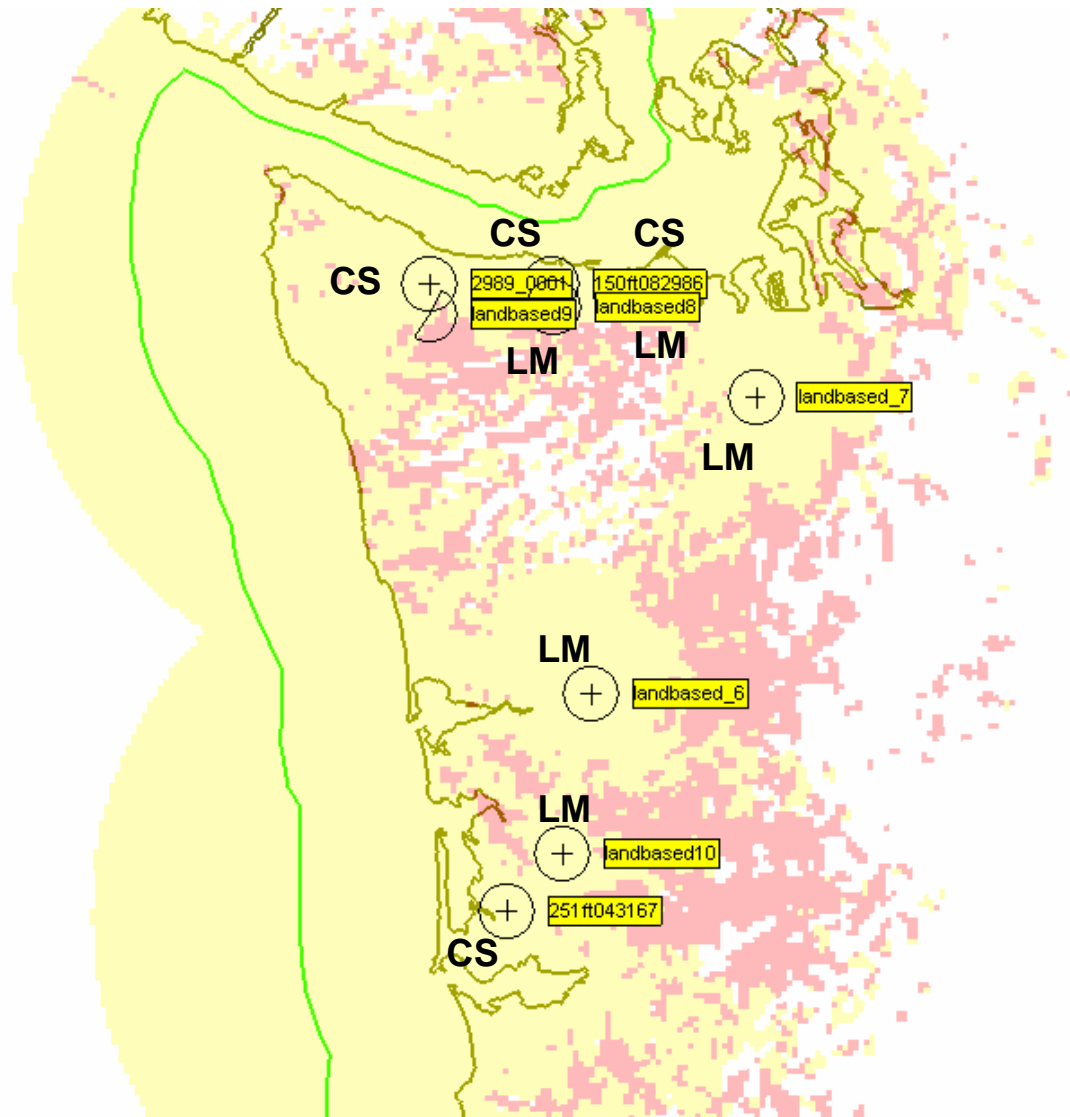


Land Mobile Twice Power of Maritime

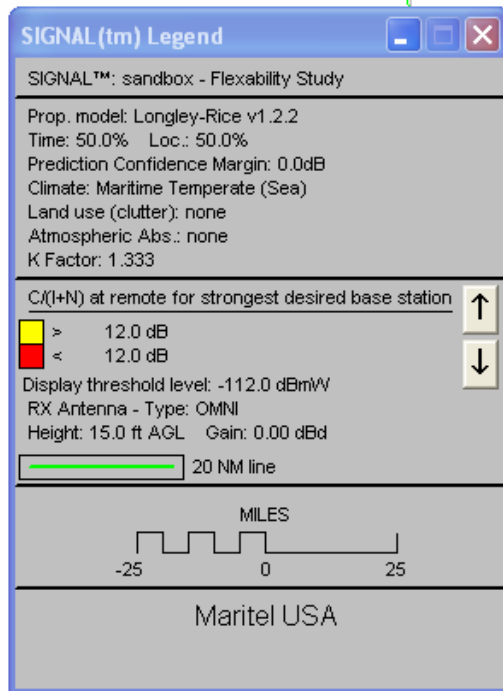


LM – Land Mobile

CS – Coast Station



Maritime Twice Power of Land Mobile



LM – Land Mobile

CS – Coast Station

